1945

**File No.** Rationing II /45 part I

Legal Department

B BRANCH

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**Subject:—**

Regulations and Notificatio

under the Kamikay Rationing

Order, 1943

[For subsequent pps. see pt. II]

25/1945

**File No.** Rationing II /45.
Part I

Gen. 194 e.

40-B

Office of the R.L.A.

A fresh draft notification is sent herewith.

2. No specimen ration permit has been sent to this office. Under the circumstances R.L. . cannot say whether the wording of clause 64 is satisfactory regarding the weeks for which the coupons on the permit are to be valid. If the weeks are numbered as on the ration card obtained from Controller of Rationing's office, and the numbering commences with the first week in respect of rationed food-grains the clause as drafted will not be open to objection. The Controller of ~~Watching~~ Rationing should therefore consider the suitability of the clause before publication.

3. The quantity of Kerosene represented by a unit should be filled in clause 64 A; the District Magistrate will be able to change it if and when necessary by notification.

Id/- [illegible] 27/1/45

Remembrancer of Legal Affairs.

U.R. to Controller of Rationing, No.855, dated the 29th January 1945.

CR 1817

KAN/26-7.
4 c.

K.G.R.
12

Office of the R.L.A.

Two revised draft notifications as settled in consultation with Finance Department (Supply) are sent herewith.

Id/- P.N.M. 20/3/45

Remembrancer of Legal Affairs.

U.R. to F.D.(Supply), No.2269, dated 22-3-1945.

KAN/16-7.
4 c.

NOTIFICATION.

Finance Department (Supply),
Bombay Castle, March 1945.

Bombay Rationing Order, 1943.

No.169/D.R.- In pursuance of clause 12 of the Bombay Rationing Order, 1943, the Government of Bombay is pleased to amend the Rationing Regulations specified in the Schedule hereto annexed as follows, namely:-

After sub-clause (2) of clause 11 of each of the said regulations the following new sub-clause shall be inserted, namely:-

"(2A) Nothing in sub-clause (2) shall authorise the allotment of any ration of foodgrains or sugar for any period preceding the date of application other than the four days immediately preceding such date."

SCHEDULE.

(Here enter Rationing Regulations of Small Towns in which kerosene is not rationed).

By order of the Governor of Bombay,

Secretary to Government.

KAN/16-7.
4 c.

NOTIFICATION.

Finance Department (Supply),
Bombay Castle, March 1945.

Bombay Rationing Order, 1943.

No.169/D.R.- In pursuance of clause 12 of the Bombay Rationing Order, 1943, the Government of Bombay is pleased to amend the Rationing Regulations specified in the Schedule hereto annexed as follows, namely:-

After sub-clause (3) of clause 11 of each of the said regulations the following new sub-clause shall be inserted, namely:-

" (3A), Nothing in sub-clauses (2) and (3) shall authorise the allotment of any ration of foodgrains, sugar or kerosene for any period preceding the date of application other than the four days immediately preceding such date."

SCHEDULE.

(Here enter Rationing Regulations of Small Towns in which kerosene is rationed).

By order of the Governor of Bombay,

Secretary to Government.

KAN/16-7.
4 c.

Office of the R.L.A.

A revised draft notification is sent herewith.

2. Under sub-clause (4) of the proposed clause 11A, the provisions of sub-clauses (5) and (6) of clause 11 are made applicable to ration tickets issued under clause 11A. In some of the Small Towns Rationing Regulations, the relevant sub-clauses of clause 11 are not (5) and (6) but (4) and (5) e.g. vide Virangam Rationing Regulation. For the reasons, therefore, explained in para.1 of the R.L.A.'s No.267 dated the 8th January 1945, it would be necessary to publish two amending Orders, one where the relevant sub-clauses of clause 11 are (4) and (5) and the other where the relevant sub-clauses are (5) and (6), in sub clause (4) of the proposed clause 11A. The figures (4) and (5) or (5) and (6) in sub-clause (4) of clause 11A whichever do not apply should be struck out before publishing the Orders. The Rationing Regulations to be entered in the Schedule of each Order should be correctly filled in.

Id/- P.N.H. 26/3/45.

Remembrancer of Legal Affairs.

U.R. to F.D.(Supply) No.2381 dated the 27th March 1945.

KAM/16-7.
4 c.

NOTIFICATION.
Finance Department (Supply),
Bombay Castle, 1945.

Bombay Rationing Order, 1943.

No.169/T.R.- In pursuance of clause 12 of the Bombay Rationing Order, 1943, the Government of Bombay is pleased to amend with effect from.....1945 the Rationing Regulations specified in the Schedule hereto annexed as follows, namely:-

After clause 11 of each of the said Regulations the following new clause shall be inserted, namely:-

"11A(1) Notwithstanding anything contained in sub-clause (1) of clause 11 a ration ticket may also be issued by the Rationing Officer to any person in the said area who has made an application in such form as may be prescribed by the Rationing Officer, if such officer is satisfied that the applicant requires any rationed article for casual consumption for a purpose approved by the District Magistrate in this behalf.

(2) A ration ticket issued under sub-clause (1) shall specify the quantity, not being in excess of that fixed by the District Magistrate for the particular purposes, of the rationed articles allotted to the applicant, and the authorised retail distributor from whom the same may be obtained.

(3) The Rationing Officer shall specify on such ration ticket the fourth day from the date of issue; the ration ticket shall not be valid after such day.

(4) The provisions of sub-clauses (4) and (5) of clause 11 shall also apply to such ration ticket.

Schedule.

(Here insert the Regulations)

By order of the Governor,
Secretary to Government.

Office of the R.L.A.

It is better to introduce the new provision as a separate clause.

2. It is gathered from inquiries made in the Controll-er of Rationing's Office that the Small Towns Rationing Regulations fall into three catagories, as out of 89 towns to which they apply kerosene is a rationed article in 60 towns only 54 of which have identically worded Rationing Regulation. In the case of 29 towns where kero-sene is not a rationed article the wording "any rationed article other than kerosene" will not be appropriate.

3. For the draft notification at page 7 ante, three revised draft notifications are therefore sent herewith. Draft I is for the amendment of Rationing Regulations identical with the Nipani Rationing Regulation, 1944, drat II for those identical with the Broach Rationing Regulation, 1044 and draft III for the amendment of Rationing Regulations identical with the Viramgam Rationing Regulation, 1944. The Rationing Regulations to be amended should be correctly entered in the Schedule of the draft notification applying to them.

Id/- P.N.M. 4/4/45

Remembrancer of Legal Affairs.

U.R. to Controller of Rationing No.2633, dated the 5th April 1945.

KAN/16-7.
4 c.

Notification.

Finance Department (Supply)
Bombay Castle, 1945.

No.3169/S.R.— In pursuance of clause 12 of the Bombay Rationing Order, 1943, the Government of Bombay is pleased to direct that the Rationing Regulations specified in the Schedule hereto annexed shall be amended as follows, namely

Bombay Rationing Order, 1943.

After clause ~~14~~ 15 of each of the Rationing Regulations specified in the Schedule hereto annexed the following new clause shall be inserted, namely:-

"15A. If any person included in a household for which a ration card is issued ceases at any time to be a member of the household, the head of the household or in his absence the member managing the household shall not obtain or cause to be obtained during any ration period following that in which such person ceased to be a member of the household any rationed article other than kerosene sanctioned for such person, and shall, within ten days from the date on which he ceased to be a member report the fact to the Rationing Officer and present the ration card to such officer for necessary reduction in the number of units allotted to the household."

Schedule.

[Here enter 6 Regulations of Belgaum District Small Towns where relevant clause is 15.]"

By order of the Governor of Bombay,

A.D. Gorwala,

Secretary to Government.

KAH/16-7.
4 c.

NOTIFICATION.

Finance Department (Supply),
Bombay Castle, 1945.

Bombay Rationing Order, 1943.

No.169/D.R.- In pursuance of clause 12 of the Bombay Rationing Order, 1943, the Government of Bombay is pleased to direct that the Rationing Regulations specified in the Schedule hereto annexed shall be amended as follows, namely:-

After clause 14 of each of the Rationing Regulations specified in the Schedule hereto annexed the following new clause shall be inserted, namely:-

"14A. If any person included in a household for which a ration card is issued ceases at any time to be a member of the household, the head of the household or in his absence the member managing the household shall not obtain or cause to be obtained during any ration period following that in which such person ceased to be a member of the household any rationed article sanctioned for such person, and shall, within ten days from the date on which he ceased to be a member report the fact to the Rationing Officer and present the ration card to such officer for necessary reduction in the number of units allotted to the household."

SCHEDULE.

[Here enter Regulations relating to Small Towns in which Kerosene is not rationed.]

By order of the Governor of Bombay,
A.D. Gorwala,
Secretary to Government.

Office of the R.L.A.

1. A revised draft is sent herewith for the amendment of Small Towns Rationing Regulations such as " The Anand Rationing Regulation, 1944". When specifying the Small Towns Rationing Regulations in the Schedule, the Controller of Rationing should please see that they are those in which clause 11 is identically worded.

2. On enquiry in C.R's Office it was gathered that except for six Small Towns Rationing Regulations in the Belgaum District, all the other Small Towns Rationing Regulations are identical as far as the wording of clause 11 is concerned. This may be checked up. A separate draft is supplied for the 6 Belgaum District Small Towns Rationing Regulations.

Id/- P.N.H. 7/4/45.

Remembrancer of Legal Affairs.

U.R. to the Controller of Rationing, No.2742 dated the 9th April 1945.

KAN/16-7.
4 c.

NOTIFICATION.

Finance Department (Supply),

Bombay Castle, 1945.

Bombay Rationing Order, 1943.

No.169/D.R.- In pursuance of clause 12 of the Bombay Rationing Order, 1943, the Government of Bombay is pleased to amend the Rationing Regulations specified in the Schedule hereto annexed, as follows, namely:-

In the proviso to sub-clause (3) of clause 11 of each of the said regulations for the words "seven days" the following shall be substituted, namely:-

"four days and that any period of stay of less
* than seven days and any period of stay in excess of a complete period or periods of seven days, if it is not less than four days, shall be deemed to be a period of seven days."

Schedule.

(Here enter Rationing Regulations of Small Towns other than those in Belgaum District in which kerosene is rationed).

By order of the Governor of Bombay,

Secretary to Government.

KAN/16-7.
4 c.

NOTIFICATION.

Finance Department (Supply),
Bombay Castle, 1945.

Bombay Rationing Order, 1943.

No.169(14)/D.R.- In pursuance of clause 12 of the Bombay Rationing Order, 1943, the Government of Bombay is pleased to amend the Rationing Regulations specified in the Schedule hereto annexed, as follows, namely:-

In sub-clause (3) of clause 11 of each of the said regulations -

(a) after the words and figures "under clause 14" the words "for each period of seven days)" shall be inserted; and

(b) in the proviso for the words "seven days" the following shall be substituted, namely:-

" four days and that any period of stay of less than seven days and any period of stay in excess of a complete period or periods of seven days, if it is not less than four days, shall be deemed to be a period of seven days."

Schedule.

(Here enter Rationing Regulations of Belgaum District Small Towns in which Kerosene is rationed).

By order of the Governor of Bombay,

Secretary to Government.

KAN/16-7.
4 c.

Office of the R.L.A.

The Controller of Rationing has proposed three amendments each to the City of Bombay and the Bombay Suburban District Rationing Regulations.

2. The new sub-clause (1-a) proposed to be added to clause 16 of the City of Bombay Rationing Regulations and clause 26 of the Bombay Suburban District Rationing Regulation by the first amendment appears to be redundant

3. Sub-clause (1) of clause 16 of the City Regulation requires a distributor to supply rationed articles to the holder of a ration card; but since clause 6 of the Bombay Rationing Order, 1943, requires distributors to supply rationed articles only under and in accordance with the provisions prescribed by or under the said Order, and sub-clause (2) of clause 16 requires distributors to comply with such directions as may be issued by the Provincial Government or any officer authorised by the Provincial Government in that behalf, directions issued under sub-clause (2) of clause 16 of the City Regulation would suffice to release the distributor from the requirements of sub-clause (1) of this clause. To put the matter beyond the pale of all doubt, the addition of the word "valid" before the words ration card" in sub-clause (1) of clause 16 is advised.

4. The third amendment is redundant since no one is likely to supply bread without payment, and as agreed to by the Controller of Rationing is dropped.

5. Revised drafts amending sub-clause (1) of clause 16 of the City of Bombay Rationihg Regulation, 1943, an-

sub-cl

sub-clause (1) of clause 26 of the Bombay Suburban District Rationing Regulation, 1943, as advised above, and incorporating the substance of the 2nd amendment are forwarded herewith.

Id/- P.N.H. 23/4/45

Remembrancer of Legal Affairs.

U.R. to the Controller of Rationing. No.3210 dated 25th April 1945.

RAN/16-7.
4 c.

To be published in Part I of the Bombay Government Gazette and returned to Branch V of the office of the Controller of Rationing, Bombay, with 200 copies.

for Secretary to Government,
Finance Department (Supply).

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Notifications.
Finance Department (Supply),
Bombay Castle, 1945.

Bombay Rationing Order, 1943.

No.C.R.68. In pursuance of clause 12 of the Bombay Rationing Order, 1943, the Government of Bombay is pleased to amend the City of Bombay Rationing Regulation, 1943, as follows, namely:-

1. In sub-clause (1) of clause 16 of the said regulation, after the words "the holder of a" the word "valid" shall be inserted.

2. In clause 43 of the said regulation, after the words "manufacturing establishment" the words "on demand and offer of price" shall be inserted.

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Bombay Rationing Order, 1943.

No. C.R.59. In pursuance of clause 12 of the Bombay Rationing Order, 1943, the Government of Bombay is pleased to amend the Bombay Suburban District Rationing Regulation, 1943, as follows, namely:-

1. In sub-clause (1) of clause 26 of the said regulation, after the words "the holder of a" the word "valid" shall be inserted.

2. In clause 56 of the said regulation, after the words "manufacturing establishment" the words "on demand and offer of price" shall be inserted.

By order of the Governor of Bombay,

KAN/16-7.

Secretary to Government.

Office of the R.L.A.

The Order of the District Magistrate, Sholapur, at p. 1 relates to the supply of rationed articles and not to food prepared from rationed articles. The Order prohibits the supply of rationed articles except on the production of a certificate as to residence and as to registration with the authorised establishment. The Order, in effect, requires the supply to be made only against particular kind of ration document to be registered with establishments. If the order includes establishments other than authorised establishments, it is clearly inconsistent with clause 4 of the Bombay Ration-ing Order, 1943. Even if it refers only to authorised esta-blishments, it would be inconsistent with any order issued under clause 20 of the Bombay Rationing Order, 1943, in respect of Pandharpur on the lines of the order in F.D.(Supply) Notfn. No.C.R. 68(a) dated 30th March 1943 printed at p. 33 of the Bombay Rationing Order booklet which permits distribution of all rationed articles by on authorised establishment otherwise than on a ration document. The Order is therefore in conflict with the provisions of the Bombay Rationing Order and of no effect, particularly because the Order does not recite any authority warranting the making of it.

2. The proposal of the Controller of Rationing is to make a provision for the issue of any directions by the Rationing Office in respect of serving etc. by an authorised establishment as stated in para 1 of the Assistant Controller of Rationing's note at page 10. In this connection, attention is invited to Remembrancer of Legal Affairs's Opinion No. 2853, dated 17th April 1944 wherein the Remembrancer of Legal Affairs made clear that no directions, which under the Bombay Rationing Order must be incidental to the rationing of rationed articles,

may be issued ~~xx~~ so as to regulate the preparation or supply of food or beverage prepared from rationed articles. The proposed provision cannot therefore be made under the Bombay Rationing Order unless of food sought to be controlled is itself a rationed article. For achieving the object in view a separate order rule 81 of the Defence of India Rules would be necessary and such order will have to be settled so as not to conflict with anything in the Bombay Rationing Order or regulations thereunder. (For instance provisions like clause 29 of the City of Bombay Rationing Regulation).

Id/- P.B.M. 24/4/45.

Remembrancer of Legal Affairs.

U.R. to the Controller of Rationing, No.3209, dated the 25th April 1945.

KAN/16/7.
4 c.

Office of the R.L.A.

It is proposed to legalise the drawing of rations in respect of persons either absent from the rationed area or dead at the time of purchase provided they were residing within the ration area for some part of the ration period during which the purchase is made.

2. There are two alternatives available :-

(a) to amend clause 13 of the Bombay Rationing Order, 1943, on the lines suggested by the Controller of Rationing; or

(b) to put in a provision on the lines of clause 14(4) of the Nadiad Rationing Regulation whatever other Rationing Regulations it is deemed necessary to make such provision.

3. If (a) is done, consequential amendment in Rationing Regulations similar to the Nadiad one must be carried out in respect of the clause corresponding to clause 14(4) of the Nadiad Regulation. The amendment of clause 13 of the Bombay Rationing Order, as suggested, is therefore inadvisable.

4. It appears from the notes of Controller of Rationing's office (at page 9), particularly the last six lines of para. 2x of Mr. Bedekar's note dated 10th April, and the reference to "districts", that the intention of the Controller of Rationing is that a uniform provision should be made for the districts.

5. The Controller of Rationing is therefore requested to indicate which Rationing Regulations need to be amended so that provisions on the lines of those in clause 14(4) of the Nadiad Rationing Regulation, inso far as they relate to food ration cards and coupons, may be incorporated therein. He is also requested to forward a suitable draft for the purpose, for scrutiny.

Id/-

for Remembrance of Legal Affairs.

U.R. to the Controller of Rationing, No.4747, dated the 23 June 1945.

KAH/17-7.

Notification
Finance Department (Supply)
Bombay Castle, 1945.
Bombay Rationing Order, 1943.

No. In pursuance of clause 12 of the Bombay Rationing Order, 1943, the Government of Bombay is pleased to amend the Sholapur Rationing Regulations, 1944, as follows, namely:-

1. To sub-clause (6) of clause 2 of the said regulation, the following shall be added, namely:-

"The week commencing on the 15th day of December 1943 shall be numbered 1 and each successive week serially thereafter upto and including the week ending on the 2nd day of January 1945. The week commencing on the 3rd day of January 1945 shall be numbered 1 of 1945 and each successive week serially thereafter upto and including the week ending on the 1st day of January 1945".

2. In clause 6 of the said regulation

(a) for the words "for use during the first fifty-two weeks shall have fifty-two coupons and that issued for use thereafter shall have fifty-five coupons" shall be substituted; and "shall have 52 coupons" the words

(b) the words "reckoned from the first week" shall be deleted.

3. In clause 12 of the said regulation for the words "shall consist of fifty-two coupons numbered serially to denote weeks" and the words "issued for use during the first fifty-

two weeks shall have fifty-two coupons numbered serially to denote weeks and that issued for use thereafter shall have fifty-five coupons numbered serially to denote weeks" shall be substituted.

4. In clause 15 of the said regulation

(a). after the words "eight weeks" the following shall be inserted, namely:-

"A ration card consisting fifty-five coupons may be issued to any such person who has made the application clause 7 with a view to using the card after the fifty-second week" and

(B) the words "reckoned from the first week" shall be deleted.

5. In clause 15-A of the said regulation -

(a) for the words, figure and letter "consisting of fifty-two coupons may be issued to any person who has made an application as required by clause 7-A" the words, figure and letter "which may be issued to any person who has made application as required by clause 7-A for use during the first fifty-two weeks shall consist of fifty two coupons and that which may be issued for use thereafter shall consist of fifty-five coupons" shall be substituted; and

(b) the words "reckoned from the first week" shall be deleted.

6. In sub-clause (1) of clause 22 of the said regulation -

(a) for the words "shall consist of

fifty-two coupons", the words," issued of fifty coupons", the words, "issued for use during the first fifty-two weks shall consist of fifty-two coupons and that issued for use thereafter shall consist of fifty-five coupons" shall be substituted; and

(b) the words "reckoned from the first week" shall be deleted.

7. In clause 24 of the said regulation

(a) in sub-clause (2) (a) -

(i) (a) after the words "fifty" two coupons", the words "for use during the first fifty-two weeks and consisting of fifty-five coupons for use thereafter" shall be inserted; and (ii) the words "reckoned from the first week" shall be deleted; and

(b) In sub-clause (2)(b)

(i) for the words "fifty-two the words "fifty-five shall be substituted; and

(ii) the words "reckoned from the first x week" shall be deleted.

8. In clause x36 and sub-clause (2) of clause 46 of the said regulation, for the words "shall have fifty-two coupons" the words "issued for use during the first fifty-two weeks shall have fifty-two coupons and that issued for use thereafter shall have fifty five coupons "shall be substituted.

By order of the Governor of Bombay,
A.D. Gorwala,
Secretary to Government.

KAH/17-7.
4 c.

Office of the R.L.A.

The draft notification at page 7-9 ante, as formally amended, is in order.

Id/- N.K.D.

for Remembrancer of Legal Affairs.

U.R. to F.D. (Supply), No.4529, dated the 18th June 1945.

KAN/17-7.
4 6.

NOTIFICATION.

Finance Department (Supply)
Bombay Castle, 1945.

Defence of India Rules.

No. C.R. 68. In exercise of the powers conferred by rule 81 of the Defence of India Rules and of all other powers enabling it in this behalf, the Government of Bombay is pleased to amend the Bombay Rationing Order, 1943, as follows, namely:-

To clause 8 of the said order, the following proviso shall be added, namely:-

"Provided further that nothing in this clause shall apply to any distribution of a rationed article towards payment of wages, rent or any customary dues."

By order of the Governor of Bombay,

Secretary to Government.

# O R D E R.

Finance Department (Supply).

Bombay Castle, 1945.

Bombay Rationing Order, 1943.

No.- .- In exercise of the powers conferred by clause 20 of the Bombay Rationing Order, 1943, the Government of Bombay is pleased to authorise distribution otherwise than on a ration document by any person of any of the rationed articles specified in Schedule A hereto annexed (hereinafter referred to as the said articles) in any of the areas specified in column 1 of Schedule B hereto annexed (hereinafter referred to as the said areas) subject to the following conditions, namely:-

(i) that the distribution of any of the said articles is made towards the payment of wages, rent or any customary dues and is made in one transaction;

(ii) that the person before making the distribution furnishes to the officer specified against each area in column 2 of the said Schedule B (hereinafter referred to as the said officer) within whose jurisdiction he resides true and correct information regarding the quantity of the said articles to be so distributed and the name and address of the person receiving the said article;

(iii) that the person satisfies the said officer that the said article has been lawfully by him within the said area, and where the distribution is towards the payment of wages or rent also that the said article has been grown on his own land, &

(iv) that the person to whom distribution is to be made, before receiving the said article presents to the said officer in whose jurisdiction he resides his ration card or the ration card in which his name is included for cancellation of the appropriate coupon or coupons thereof at such rate as the said officer may determine in this behalf.

-:=:=:-

Schedule A.

Names of rationed articles.

Schedule B.

| 1 | 2. |
|---|---|
| Areas. | Officers. |

By order of the Governor of Bombay,

Secretary to Government.

KAN/17-1.
4 c.